ABDO, AMY

From: Laser, Jennifer [JLaser@OMM.com]

Sent: Wednesday, June 25, 2008 6:16 PM

To: ABDO, AMY

Cc: BURKE, TIM; Ripley, Richard A.; glueckm@capanalysis.com; Karen J. Marcus; Santesteban, Cristian; Jeff

Brown

Subject: Avnet's data production

Dear Amy --

As we discussed a couple of days ago, we would like to explore the possibility of having Avnet produce all of its purchase and cost data for a select group of manufacturers, without trying to identify relevant products or part numbers on the frontend. Instead, that task will be left to the parties and their consultants once they receive the data. This approach worked successfully with at least one distributor subpoenaed in this case, and we would like to see whether it might work for Avnet as well.

Below is the select group of manufacturers that the parties had previously agreed were most relevant to Avnet's data production:

AMD

Hewlett-Packard/Compaq

Dell

Fujitsu/Fujitsu-Siemens

Hewlett-Packard/Compaq

IBM

Intel

Hitachi

Lenovo

NEC

Panasonic

Sony

Super Micro

Toshiba

With respect to the data fields, we would like the full data production to include the same fields as were included in Avnet's sales data sample, plus the following three:

- 1. Manufacturer name
- 2. Ship-to location
- 3. Invoice date

Best regards,

Jennifer Laser O'Melveny & Myers LLP

1999 Avenue of the Stars #700 Los Angeles, California 90067 (310) 246-8445 direct line

(310) 246-6779 fax

ilaser@omm.com

This message and any attached documents contain information from the law firm of O'Melveny & Myers LLP that may be confidential

and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information. If you have received this transmission in error, please notify the sender immediately by reply email and then delete this message.